ら

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/660,166	09/11/2003	Paul Reuben Day	ROC920030145US1	7590

30206   7590   06/22/2007
IBM CORPORATION
ROCHESTER IP LAW DEPT. 917
3605 HIGHWAY 52 NORTH
ROCHESTER, MN 55901-7829

EXAMINER
PHAM, MICHAEL

ART UNIT	PAPER NUMBER
2167	

MAIL DATE	DELIVERY MODE
06/22/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

		Application No.	Applicant(s)
Interview Summary		10/660,166	DAY ET AL.
		Examiner	**Art Unit**	
		Michael D. Pham M.P.	2167	

All participants (applicant, applicant's representative, PTO personnel):

(1) _Michael D. Pham_.

(3)_Scott A. Stinebruner (reg. #: 38323)_.

(2) _Cam Y Truong_.

(4)_____.

Date of Interview: _20 June 2007_.

Type: a)☒ Telephonic   b)☐ Video Conference
c)☐ Personal [copy given to: 1)☐ applicant   2)☐ applicant's representative]

Exhibit shown or demonstration conducted: d)☐ Yes   e)☒ No.
If Yes, brief description: _____.

Claim(s) discussed: _Independent_.

Identification of prior art discussed: _Zait and Amundsen_.

Agreement with respect to the claims f)☐ was reached.   g)☐ was not reached.   h)☒ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: _The proposed amendments were discussed by Applicant's representative. However, after review of the proposed amendments Admundsen appears to still suggest the recited limitation. Applicant's representative agreed to further amend the claim._

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

_____
Examiner's signature, if required

WOOD, HERRON & EVANS, L.L.P.

BRUCE TITTEL
DAVID S. STALLARD
J. ROBERT CHAMBERS
GREGORY J. LUNN
KURT L. GROSSMAN
CLEMENT H. LUKEN, JR.
THOMAS J. BURGER
GREGORY F. AHRENS
WAYNE L. JACOBS
KURT A. SUMME
KEVIN G. ROONEY
KEITH R. HAUPT
THEODORE R. REMAKLUS
THOMAS W. HUMPHREY
SCOTT A. STINEBRUNER
DAVID H. BRINKMAN
BEVERLY A. LYMAN, PH.D.
KRISTI L. DAVIDSON
KATHRYN E. SMITH
P. ANDREW BLATT, PH.D.
DAVID E. JEFFERIES
J. DWIGHT POFFENBERGER, JR.
WILLIAM R. ALLEN, PH.D.

OF COUNSEL
JOHN D. POFFENBERGER
DAVID J. JOSEPHIC
DONALD F. FREI
THOMAS W. FLYNN
BRADLEY O. BECK

2700 CAREW TOWER
441 VINE STREET
CINCINNATI, OHIO 45202-2917
TELEPHONE: 513-241-2324
FACSIMILE: 513-241-6234
WEBSITE: www.whepatent.com

PATENT, TRADEMARK, COPYRIGHT
AND UNFAIR COMPETITION LAW
AND RELATED LITIGATION

EDMUND P. WOOD   1923-1968
TRUMAN A. HERRON   1935-1976
EDWARD B. EVANS   1936-1971

JOSEPH R. JORDAN
C. RICHARD EBY

JOHN PAUL DAVIS
DOUGLAS A. SCHOLER
BRETT A. SCHATZ
DAVID W. DORTON
SARAH OTTE GRABER
STEVEN W. BENINTENDI, PH.D.
RANDALL S. JACKSON, JR.
ADAM R. WEEKS
CHARLES R. FIGER, JR.
KEVIN E. KUEHN

PATENT AGENTS
ANA C. JACQUEZ
MICHAEL H. SCHENKER

June 14, 2007

FACSIMILE COVER SHEET

To: Examiner Michael Pham   From: Scott A. Stinebruner

Fax: 571-273-3924   Re: Our File: IBM-257

                                         Pages: (including cover sheet)2

MESSAGE/COMMENTS

Proposed Agenda
S/N 10/660,166

Agenda

- Discuss 103 rejections
- Propose amending claim 1 to clarify that change to join order is "dynamic", and that the first and second portions of the result set are generated for the same execution of a query, i.e., the same query.
-Propose amending claims 12, 16 and 21 in a similar manner

Proposed Amendments

     1. (Currently Amended) A method for monitoring a query during runtime, said query involving a plurality of join operations, the method comprising the steps of:

          running the query according to a first join order;

          generating a first portion of a result set for the query while running the query according to the first join order;

          concurrent with running the query, collecting performance statistics about each of the join operations;

          <u>dynamically</u> changing the first join order, during running of the query, to a second join order based on the statistics; and

          generating a second portion of the result set for the query while running the query according to the second join order<u>, wherein the first and second portions of the result set are generated for the same execution of the query</u>.

318925-1 SSTINEBR